

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation: 201 KAR 35:050

Contact Person: Kevin R. Winstead

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(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the required education for a credential holder.

(b) The necessity of this administrative regulation: The administrative regulation is necessary under: (1) KRS 309.083(4) (effective March 1, 2021), which requires applicants for certification as an alcohol and drug counselor to meet all education requirements of the International Certification and Reciprocity Consortium for the Alcohol and Drug Counselors (ADC); (2) KRS 309.0831(4) (effective March 1, 2021), which requires an applicant for registration as an alcohol and drug peer support specialist to have completed at least forty (40) classroom hours of board-approved curriculum; (3) KRS 309.0832(3) (effective March 1, 2021), which requires an applicant for licensure as a licensed alcohol and drug counselor to meet all education requirements of the International Certification and Reciprocity Consortium for the Advanced Alcohol and Drug Counselor (AADC); (4) KRS 309.0833(1)(b) (effective March 1, 2021), which requires an applicant for licensure as a licensed alcohol and drug counselor associate to meet all education requirements of the International Certification and Reciprocity Consortium for the Advanced Alcohol and Drug Counselor (AADC); (5) KRS 309.0841(1)(c), which requires an applicant for certification as a certified alcohol and drug counselor associate I to have completed forty (40) classroom hours of board-approved curriculum; and (6) KRS 309.0842(3), which requires an applicant for certification as a certified alcohol and drug counselor associate II to have seventy (70) hours of approved classroom hours of board-approved curriculum.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for education for a credential holder.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation will assist in establishing the educational requirements of a credential holder.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment will change the existing administrative regulation in eight (8) ways: (1) reducing the number of hours from sixty (60) to forty (40) for an applicant seeking registration as an alcohol and drug peer support specialist; (2) requiring applicants for certification as a certified alcohol and drug counselor associate I to comply with the board-approved curriculum requirements of KRS 309.0841; (3) requiring applicants for certification as a certified alcohol and drug counselor associate I to file a Form 19 to verify training; (4) requiring applicants for certification as a certified alcohol and drug counselor associate II to comply with the board-approved curriculum requirements of KRS 309.0842; (5) increasing the number of classroom hours for a certified alcohol and drug counselor from 270 to 300 to conform with the requirements of the International Certification and Reciprocity Consortium; (6) changing the twelve (12) core functions to four (4) domains for certified alcohol and drug counselor, licensed clinical alcohol and drug counselors and associates; (7) adding new forms to the materials incorporated by reference; and (8) adding the board's Web site address.

(b) The necessity of the amendment to this administrative regulation: The amendments are necessary to establish a required education for a credential holder with a registration or license issued by the board.

(c) How the amendment conforms to the content of the authorizing statutes: The regulation is in conformity as the authorizing statute gives the board the ability to promulgate regulations regarding the requirements for education for a credential holder.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in establishing an education requirement for all credential holders.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The board is unable to determine the exact number of persons who would be impacted by this regulation since the applications vary from month to month. Future applicants and persons credentialed by the board will be affected by this administrative regulation. As of February 1, 2021 there were 513 licensed clinical alcohol and drug counselors, 21 licensed clinical alcohol and drug counselor associates, 458 certified alcohol and drug counselors, 930 temporary certified alcohol and drug counselors, 95 temporary registered alcohol and drug peer support specialists, and 15 registered alcohol and drug peer support specialists.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: A credential holder will be required to comply with the education requirement.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: There are no new cost associated to the amendment related to the amendment of this administrative regulation.

- (c) As a result of compliance, what benefits will accrue to the entities: The credential holders will know the education requirements expected of them by the board.
- (5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:
- (a) Initially: Initially, there is no additional cost to the administrative body to implement this administrative regulation.
- (b) On a continuing basis: On a continuing basis, there is no additional cost to the administrative body to implement this administrative regulation.
- (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The board's operations are funded by fees paid by credential holders and applicants.
- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There are no increases in fees or funding is required to implement this administrative regulation.
- (8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: There are no new fees or fee increases associated with the amendments.
- (9) TIERING: Is tiering applied? Explain why or why not. Tiering was not applied as the regulation is applicable to all credential holders. This regulation does not distinguish between similarly situated individuals on the basis of any factor.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

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(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Kentucky Board of Alcohol and Drug Counselors.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 309.0813(1), (5), and (6), 309.083, 309.0831, 309.0832, 309.0833, 309.0841, 309.0842.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This regulation will not generate revenue for state or local government.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This regulation will not generate revenue for state or local government.

(c) How much will it cost to administer this program for the first year? There will be no additional cost to administer this program.

(d) How much will it cost to administer this program for subsequent years? There will be no additional cost to administer this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(4) Revenues (+/-): Neutral

(5) Expenditures (+/-): Neutral

(6) Other Explanation: None